UNITED NATIONS

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General Assembly

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A/RES/49/235
24 March 1995

Forty-ninth session
Agenda item 124

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fifth Committee (A/49/817/Add.1)]

49/235. Financing of the United Nations Operation in Mozambique

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Operation in Mozambique 1/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 2/

Recalling Security Council resolution 797 (1992) of 16 December 1992, by which the Council established the United Nations Operation in Mozambique, and the subsequent resolutions by which the Council extended the mandate of the Operation, the latest of which were resolutions 957 (1994) of 15 November 1994 and 960 (1994) of 21 November 1994,

Recalling also its resolutions 47/224 A and B of 16 March 1993 on the financing of the Operation and its subsequent resolutions and decisions thereon, the latest of which were resolution 48/240 B of 29 July 1994 and decision 49/467 of 23 December 1994,

Reaffirming that the costs of the Operation are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

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1/ A/49/649 and Add.1 and 2.

2/ A/49/849.

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Operation, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Mindful of the fact that it is essential to provide the Operation with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Takes note of the status of contributions to the United Nations Operation in Mozambique as at 28 February 1995, including the contributions outstanding in the amount of 62,831,938 United States dollars, and urges all Member States concerned to make every possible effort to ensure the payment of their outstanding assessed contributions;

2. Expresses concern about the financial situation with regard to peace-keeping activities, particularly in regard to the reimbursement of troop- and equipment-contributing countries, due to overdue payments by Member States of their assessments, particularly Member States in arrears;

3. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the Operation promptly and in full;

4. Expresses deep concern at the late submission of documentation, in particular the financial performance report for the period from 1 May to 15 November 1994;

5. Expresses concern at delays in the processing and settlement of claims for the reimbursement of the cost of the contingent-owned equipment provided by troop-contributing countries;

6. Endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions; 2/

7. Expresses deep concern that the failure of Member States to pay their assessed contributions promptly and in full threatens to leave the Special Account for the United Nations Operation in Mozambique with insufficient liquid funds to meet its liabilities, in particular, to the troop-contributing countries;

8. Requests the Secretary-General to explore all possibilities in order to ensure prompt reimbursement to troop- and equipment-contributing countries;

9. Decides to appropriate to the Special Account for the United Nations Operation in Mozambique a total amount of 40 million dollars gross (39,053,300 dollars net) for the liquidation of the Operation for the period from 16 November 1994 to 31 March 1995, inclusive of the commitment authority of 25 million dollars authorized under the provisions of General Assembly resolution 48/240 B, with the prior concurrence of the Advisory Committee;

10. Decides also, as an ad hoc arrangement, to apportion the amount of 40 million dollars gross (39,053,300 dollars net) for the period from 16 November 1994 to 31 March 1995 among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991 and 47/218 A of 23 December 1992 and its decision 48/472 A of 23 December 1993, the scale of assessments for the year 1994 3/ to be applied against a portion thereof, that is, 13,529,400 dollars gross (13,209,200 dollars net), which is the amount pertaining on a pro rata basis to the period ending 31 December 1994, and the scale of assessments for the year 1995 4/ to be applied against the balance, that is, 26,470,600 dollars gross (25,844,100 dollars net), for the period from 1 January to 31 March 1995;

11. Decides further that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 10 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 946,700 dollars approved for the period from 16 November 1994 to 31 March 1995; 320,200 dollars being the amount pertaining on a pro rata basis to the period ending 31 December 1994, and the balance, that is, 626,500 dollars, for the period from 1 January to 31 March 1995;

12. Decides that there shall be set off against the apportionment among Member States, as provided for in paragraph 10 above, their respective share in the unencumbered balance of 4,458,900 dollars gross (4,258,900 dollars net) in respect of the Operation for the period from 1 November 1993 to 30 April 1994;

13. Decides also that the disposition of the assets of the Operation shall proceed on the basis of the following principles and policies, listed in order of priority, and requests the Secretary-General to proceed with the disposition accordingly:

(a) All equipment that meets the requirements of other United Nations operations and that it is cost-effective to move shall be redeployed to such operations or held in reserve for use by future operations;

(b) Other equipment shall be transferred to United Nations organizations, as well as to national and international non-governmental organizations already operating in Mozambique or in the process of establishing a presence there, upon request and against appropriate credit to the Special Account for the United Nations Operation in Mozambique;

(c) Any remaining material that cannot be moved shall be sold commercially on an "as is, where is" basis in accordance with standard United Nations procedures;

(d) Assets or installations that cannot be dismantled, including airfield installations, shall be donated to the Government of Mozambique;

14. Decides further to accept the proposal of the Secretary-General to donate certain assets to the mine-clearance programme on the understanding

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3/ See resolutions 46/221 A and 48/223 A and decision 47/456.

4/ See resolution 49/19 B.

that it is not cost-effective to move them and that they cannot be financed through the voluntary contributions;

15. Takes note of the comments of the Advisory Committee in paragraph 26 of its report, 2/ and of the fact that the feasibility of procedures for valuation and transfer of costs for the assets of the Operation will be reconsidered during the discussion of the report of the Secretary-General requested by the General Assembly in its resolution 49/233 of 23 December 1994, to be submitted no later than 31 March 1995, and affirms that any decision on the methodology of the transfer of such costs of the Operation will be taken accordingly;

16. Requests the Secretary-General to submit to the General Assembly by 31 July 1995, in the context of the performance report related to the liquidation of the Operation, a further report on the disposal of the assets and liabilities of the Operation;

17. Invites voluntary contributions to the Operation in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

18. Requests the Secretary-General to take all necessary action to ensure that all United Nations activities related to the Operation are administered under the authority of his Special Representative in a coordinated fashion with a maximum of efficiency and economy and in accordance with the relevant mandate, and to include information on the arrangements made in this regard in his report on the financing of the Operation;

19. Decides to include in the provisional agenda of its fiftieth session an item entitled "Financing of the liquidation of the United Nations Operation in Mozambique".

98th plenary meeting
10 March 1995

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/49/236
10 April 1995

Forty-ninth session
Agenda item 42

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/49/L.64 and Add.1)]

49/236. United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala

The General Assembly,

Recalling its resolutions 45/15 of 20 November 1990, 46/109 A of 17 December 1991, 47/118 of 18 December 1992, 48/161 of 20 December 1993 and, in particular, 48/267 of 19 September 1994, in which it decided to establish the Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala in accordance with the recommendations contained in the report of the Secretary-General 1/ for an initial period of six months, and its resolution 49/137 of 19 December 1994, in which it requested the Secretary-General to continue his support for the Guatemalan peace process, through his representative, and his assistance in implementing the agreements,

Welcoming the inauguration and full deployment of the Mission, and the support and cooperation provided to it by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca,

Also welcoming the conclusion of the status-of-mission agreement between the Government of Guatemala and the Secretary-General and its subsequent approval by the Guatemalan Congress,

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1/ A/48/985.

Taking into account the note by the Secretary-General containing the report of the Director of the Mission on the first three months of the Mission's activities, 2/

Taking note of the recommendations addressed to the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca contained in that report, regarding the implementation of their commitments under the Comprehensive Agreement on Human Rights, 3/

Stressing the importance of mobilizing national and international resources for institution-building and cooperation projects intended to strengthen the Guatemalan system for the protection of human rights,

Recognizing the efforts of the Secretary-General and the Group of Friends of the Guatemalan peace process 4/ in support of the peace negotiations,

Concerned that the peace negotiations slowed down during the second half of 1994 and that the target dates agreed by the parties for the conclusion of an agreement on a firm and lasting peace were not met,

Emphasizing the importance of giving new momentum to the peace negotiations with a view to reaching promptly a package of agreements that will put an end to the armed confrontation and lay the foundations for a lasting peace in Guatemala,

Taking note with appreciation of the report of the Secretary-General concerning steps taken since 22 December 1994 to give new dynamism to the peace negotiations, 5/

Having considered the recommendation of the Secretary-General regarding the extension of the mandate of the Mission, contained in his report on the Mission, 6/

1. Welcomes the report of the Secretary-General on the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala;

2. Takes note with satisfaction of the report of the Director of the Mission on the first three months of the Mission's activities;

2/ A/49/856.

3/ A/48/928-S/1994/448, annex I.

4/ The Group of Friends is composed of Colombia, Mexico, Norway, Spain, the United States of America and Venezuela.

5/ A/49/857-S/1995/168.

6/ A/49/860.

3. Decides to authorize the renewal of the mandate of the Mission for a further period of six months, in accordance with the recommendation of the Secretary-General;

4. Calls upon the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca to follow the recommendations of the Mission and to comply fully with their commitments under the Comprehensive Agreement on Human Rights;

5. Reiteraces the importance of the undertaking by the parties, contained in the Comprehensive Agreement on Human Rights, to provide their broadest support to the Mission and whatever cooperation it may need to carry out its functions, particularly with respect to the security of the members of the Mission;

6. Invites the international community to increase its support for institution-building and cooperation projects with governmental and non-governmental organizations, intended to strengthen the Guatemalan system for the protection of human rights, in particular through voluntary contributions to the trust fund for the Guatemalan peace process being established by the Secretary-General;

7. Reiterates the great importance it attaches to the early conclusion of the agreement on a firm and lasting peace and urges the parties to make good on their commitment to give new momentum to the negotiating process;

8. Requests the Secretary-General to keep the General Assembly fully informed of the implementation of the present resolution.

99th plenary meeting
31 March 1995